

**IN CITY COUNCIL  
EXECUTIVE SESSION  
MAYOR'S RECEPTION ROOM  
TUESDAY FEBRUARY 8, 2022  
TIME 8:35 PM**

Roll Call 11 present.

M. Chau presiding.

Others Present: City Manager Donoghue (9:55 PM) and City Solicitor Chris O'Connor (9:30 PM).

The purpose of the Executive Session was stated by the M. Chau in the open session followed by a Roll Call. The public was informed the meeting would adjourn from the open session after the Executive Session.

**EXECUTIVE SESSION**

M. Chau read a statement he had prepared indicating the need for the Council to act due to the nature of the contract regarding the City Manager. M. Chau noted it was not ending the contract but reviewing the avenues one can proceed with under the contract. M. Chau commented on the letter from the City Manager regarding her intention with the position. C. Jenness noted he had spoken with the Manager and that there was no attempt to hide any element of the contract and was not secretive. C. Robinson noted he had never spoken to the Manager and this letter was the first time he had known of her intention. C. Yem noted review of the contract and under it the Mayor was proper in establishing this discussion. C. Yem noted concern with big projects taking place in the City currently. C. Drinkwater noted that action needed to be taken and his choice is not dependent upon process. C. Drinkwater indicated that he would support Manager in her request for added year as she is right person for the job. C. Rourke noted if no action is taken then the option is automatic and the decision is a new direction or not and the body should be unified in their approach. C. Rourke noted his difficulty with just a one year commitment and was hoping longer term. C. Yem noted the need for a date certain and that he was interested in longer commitment due to the extensive projects in the City. C. Scott noted these projects need a long term commitment. C. Scott hoped for commitment sooner from the Manager and she had concerns with some items not being addressed. M. Chau noted he would not make decision based on process and noted that only three Councilors are on the original contract. C. Mercier noted that the public is aware of

certain City items before she is and that concerns her. C. Leahy noted he had conversation with Manager regarding priorities. C. Robinson noted that there is a need for added transparency and that all Councilors are on equal footing. C. Robinson noted there are open issues facing the City. C. Gitschier noted it was not a comfortable conversation as he does have confidence in the Manager but the current situation calls for long term stable management. C. Gitschier noted that replace manager would have to be able to hit the ground running and would get a handle on all big projects in the City. C. Gitschier noted he was looking for long standing leadership and one year would not be sufficient. C. Gitschier noted it was not a personal matter but just needed to what he feels is best for the citizens of Lowell. C. Nuon noted there was more to be done and that change is not warranted as the Manager is committed and prior evaluations indicate she is more than able to perform duties. C. Rourke commented on two possible motions to be acted upon. C. Drinkwater commented on contract language. C. Leahy questioned what direction the Council wishes to pursue. C. Jenness noted the possibility of extending contract language. C. Leahy indicated he was not comfortable with Manager leaving at this point. **Motion** by C. Drinkwater, seconded by C. Leahy to support a one year successor agreement under current contract terms. Defeated on Roll Call vote 4 yeas, 7 nays (M. Chau; C. Gitschier; C. Mercier; C. Robinson; C. Rourke; C. Scott; and C. Yem). So voted. **Motion** by C. Rourke, seconded by C. Robinson to notify City Manager of no desire to enter into proposed successor agreement. Adopted per Roll Call vote 7 yeas, 4 nays (C. Drinkwater; C. Jenness; C. Leahy and C. Nuon). So voted.

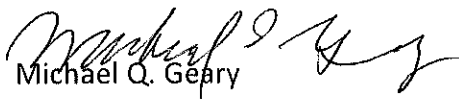
City Solicitor was invited into meeting by M. Chau at 9:20 PM. M. Chau requested that proper wording and notice be given to Manager regarding intention of the Council. Solicitor O'Connor noted she would draft and deliver to Manager. M. Chau questioned the status of the contract and whether the Manager becomes employee at will. Solicitor O'Connor noted that contract would end on the stated date unless there were other agreements. C. Rourke noted there would be no contract once it expires. C. Jenness noted any employment must be offered by the Council. **Motion** by C. Drinkwater, seconded by C. Gitschier to waive City Council Rule 5 to continue discussion beyond 10:00 PM. Adopted per Roll Call vote 11 yeas. So voted.

City Manager was invited into meeting by M. Chau at 9:45 PM. M. Chau informed the Manager of the decision that was made and the process needed to make that decision. M. Chau lauded the work of the Manager. C. Scott recognized the work that had been done noting it was a new body with new direction which needed a longer term commitment. C. Gitschier noted it was a difficult week but the direction needed longer commitment and thanked her for her work. C. Mercier stated Manager did a tremendous job and that a longer term is needed based on current state of City with the many projects. C. Jenness recognized the years of service by the

Manager. C. Yem noted it was a major decision for new Councilor such as himself but the direction called for long term commitment. C. Nuon thanked Manager for her service. C. Drinkwater noted a superior effort the Manager during pandemic noting strong leadership. C. Rourke commented on the need for longer term. C. Leahy thanked Manager for service. Manager Donoghue noted she did not wish longer contract but remains committed the City. Manager Donoghue noted it would not be honest of her to accept a longer commitment and understands the Council position. Solicitor O'Connor reviewed return to open session indicating informing the public. M. Chau made closing remarks noting it was a difficult meeting.

**Motion** to Adjourn by C. Leahy, seconded by C. Rourke. So voted

Adjourned at 9:55 PM.

  
Michael Q. Geary  
City Clerk